

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|                                 |          |   |
|---------------------------------|----------|---|
| <b>UNITED STATES OF AMERICA</b> | <b>:</b> | <b>CRIMINAL NO:</b> _____                     |
| <b>v.</b>                       | <b>:</b> | <b>DATE FILED:</b> _____                      |
| <b>MARIO RAMIREZ</b>            | <b>:</b> | <b>VIOLATIONS:</b>                            |
| <b>MATTHEW STEPHENS</b>         | <b>:</b> |   |
| <b>a/k/a "Montana"</b>          | <b>:</b> | <b>18 U.S.C. § 371 (conspiracy to deal in</b> |
|                                 | <b>:</b> | <b>firearms without a license - 1 count)</b>  |
|                                 | <b>:</b> | <b>18 U.S.C. § 922(a)(1)(A) (dealing in</b>   |
|                                 | <b>:</b> | <b>firearms without a license – 2 counts)</b> |
|                                 | <b>:</b> | <b>18 U.S.C. §922(g)(1) (possession of a</b>  |
|                                 | <b>:</b> | <b>firearm by a felon – 10 counts)</b>        |
|                                 | <b>:</b> | <b>18 U.S.C. § 922(o) (possession of a</b>    |
|                                 | <b>:</b> | <b>machine gun - 1 count)</b>                 |
|                                 | <b>:</b> | <b>Notice of forfeiture</b>                   |

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. Defendant MARIO RAMIREZ lived on the 200 block of Tioga Street in Philadelphia, Pennsylvania.
2. Defendant MARIO RAMIREZ used an address on the 3000 block of A Street in Philadelphia, Pennsylvania to receive packages.
3. Defendant MATTHEW STEPHENS lived on the 2300 block of North Howard Street, Philadelphia, Pennsylvania (“the North Howard Street residence”).
4. The individual hereafter identified as “the Buyer” is a person whose

identity is known to the grand jury.

5. A machinegun conversion device is designed and intended for use in converting a semiautomatic Glock pistol to fire automatically.

6. A self-made unserialized firearm, commonly referred to as a “SMUF,” is an unregistered firearm that lacks any identifiable markings.

7. A SMUF is created by purchasing a do-it-yourself kit which contains all of the individual parts needed to create a gun in a partially drilled state, commonly referred to as an unfinished receiver, a blank, or an “80%” receiver.

8. Defendants RAMIREZ and STEPHENS were not licensed by the federal government to sell firearms or machineguns.

9. From in or about September 2018 through in or about December 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**MARIO RAMIREZ AND  
MATTHEW STEPHENS,  
a/k/a “Montana,”**

conspired and agreed, together and with others known and unknown to the grand jury, to commit an offense against the United States, that is, to willfully engage in the business of dealing in firearms without being licensed to do so, in violation of Title 18, United States Code, Section 922(a)(1)(A).

**MANNER AND MEANS**

10. Defendants MARIO RAMIREZ and MATTHEW STEPHENS were associated with each other and worked together to sell firearms, machine gun conversion devices, and ammunition.

11. Defendant MARIO RAMIREZ purchased firearm-making kits over the

internet and manufactured SMUFs to sell for a profit. Defendant RAMIREZ purchased machinegun conversion devices over the internet to sell for a profit.

12. Defendant MATTHEW STEPHENS arranged communications between defendant MARIO RAMIREZ and the Buyer on multiple occasions and facilitated the sale of firearms, machinegun conversion devices, and ammunition by defendant RAMIREZ to the Buyer. Defendant STEPHENS also made sales directly to the Buyer.

### **OVERT ACTS**

In furtherance of the conspiracy and to accomplish its object, defendants MARIO RAMIREZ and MATTHEW STEPHENS committed the following overt acts, among others, in the Eastern District of Pennsylvania:

1. From in or about September 2018 through in or about November 2018, defendant MARIO RAMIREZ purchased firearm-making kits and machinegun conversion devices over the internet.

2. Defendant MARIO RAMIREZ shipped the firearm parts and machinegun conversion devices to a residence on the 3000 block of A Street in Philadelphia, Pennsylvania.

3. Defendant MARIO RAMIREZ manufactured firearms from the kits he purchased for the purpose of selling the firearms.

4. On or about September 18, 2018, defendant MARIO RAMIREZ, defendant MATTHEW STEPHENS, and the Buyer discussed the sale of firearms scheduled for September 19, 2018.

5. On or about September 19, 2018, at the North Howard Street residence, the Buyer purchased a black SMUF AR-15 style pistol, a .40 caliber SMUF Glock 22 semiautomatic pistol, a black Olympic Arms AR-15 rifle bearing serial

number CH-9815, 17 live rounds of .40 caliber Smith & Wesson ammunition, 210 live rounds of .223 caliber ammunition, three rifle magazines, and one large drum magazine from defendant MATTHEW STEPHENS, in exchange for \$4500.

6. On or about September 22, 2018, defendant MARIO RAMIREZ, defendant MATTHEW STEPHENS, and the Buyer discussed the price of a rifle for sale.

7. On or about September 24, 2018, at the North Howard Street residence, the Buyer purchased a Beretta ARX 100 semiautomatic rifle bearing serial number SX02069 from defendant MATTHEW STEPHENS, in exchange for \$2600.

8. On or about September 29, 2018, defendant MATTHEW STEPHENS and the Buyer discussed the pending sale of an assault rifle pistol.

9. On or about October 2, 2018, at the North Howard Street residence, the Buyer purchased a Stoeger Cougar 8000 semiautomatic pistol bearing serial number T642908D018640, a SMUF AR-15 style rifle, 11 live rounds of .40 caliber ammunition, and 30 live rounds of .223 caliber ammunition from defendant MATTHEW STEPHENS, in exchange for \$3700.

10. On or about October 18, 2018 and October 19, 2018, defendant MATTHEW STEPHENS called the Buyer to discuss the purchase of firearms scheduled for October 19, 2018.

11. On or about October 19, 2018, at the North Howard Street residence, the Buyer purchased a SMUF AR-15 style pistol, a SMUF tan and brown AR-15 rifle, and three black AR-15 magazines containing 90 rounds of 5.56 caliber LC 17 ammunition from defendant MATTHEW STEPHENS, in exchange for \$3400.

12. On or about October 19, 2018, defendant MARIO RAMIREZ, defendant

MATTHEW STEPHENS, and the Buyer discussed the purchase which took place earlier that same day.

13. On or about November 2, 2018, at the North Howard Street residence, the Buyer purchased five SMUF AR-15 style pistols, five black AR-15 magazines containing 149 rounds of 5.56 caliber LC 18 ammunition, a Smith & Wesson .357 Magnum revolver bearing serial number BSB7271, and a Ruger Mark II Target .22 caliber semiautomatic pistol bearing serial number 212-29646 from defendants MARIO RAMIREZ and MATTHEW STEPHENS, in exchange for \$8300.

14. On or about November 13, 2018, at the North Howard Street residence, the Buyer purchased two SMUF AR-15 style pistols, two black AR-15 magazines containing 69 live rounds of 5.56 caliber LC 18 ammunition, a Smith & Wesson M&P Bodyguard .380 caliber semiautomatic pistol bearing serial number KDX4425, loaded with 6 live rounds of .380 caliber ammunition, a Taurus PT 24/7 .45 ACP caliber semiautomatic pistol bearing serial number NCI24146, loaded with 17 live rounds of .45 ACP ammunition, and a Llama 1911 .45 caliber semiautomatic pistol bearing serial number A20908, loaded with 17 live rounds of .45 ACP ammunition, from defendant MATTHEW STEPHENS, in exchange for \$5500.

15. On or about November 28, 2018, defendant MARIO RAMIREZ concealed his inventory of firearms, firearm-making kits, and ammunition by placing them in black trash bags and bringing them to defendant MATTHEW STEPHENS' North Howard Street residence, in an effort to hide them from law enforcement.

16. On or about November 29, 2018, at the North Howard Street residence, the Buyer purchased four SMUF AR-15 rifles, two black AR-15 magazines containing 60 live rounds of 5.56 caliber LC 18 ammunition, two black AR-15 magazines, a Davis Industries model

P380 .380 caliber semiautomatic pistol bearing serial number AP311177, loaded with 6 live rounds of .380 ammunition, a Glock Model 27 .40 caliber semiautomatic pistol bearing serial number MAS845, and a Glock Model 26 9mm semiautomatic pistol bearing serial number HSZ063 from defendant MATTHEW STEPHENS, in exchange for \$8500.

17. On or about December 7, 2018, at the North Howard Street residence, the Buyer purchased four kits containing the upper parts of an AR-15 firearm, four Glock machinegun conversion devices, two kits containing the lower parts of a firearm, miscellaneous firearm parts, handcuffs, and 120 live rounds of 5.56 caliber Federal ammunition from defendant MATTHEW STEPHENS, in exchange for \$4200.

All in violation of Title 18, United States Code, Section 371.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.

2. From in or about September 2018 through in or about December 2018, in the Eastern District of Pennsylvania, defendant

**MARIO RAMIREZ**

willfully engaged in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.

2. From in or about September 2018 through in or about December 2018, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,  
a/k/a “Montana,”**

willfully engaged in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).



**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about September 19, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,**

**a/k/a “Montana,”**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, that is, at least one of the following: a .40 caliber SMUF Glock 22 semiautomatic pistol; a black Olympic Arms AR-15 rifle bearing serial number CH-9815; 17 live rounds of .40 caliber Smith & Wesson ammunition; and 210 live rounds of .223 caliber ammunition; and the firearm and ammunition were in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about September 24, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,  
a/k/a “Montana,”**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a Beretta ARX 100 semiautomatic rifle bearing serial number SX02069, and the firearm was in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.

2. On or about October 2, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,  
a/k/a “Montana,”**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, that is, at least one of the following: a Stoegeer Cougar 8000 semiautomatic pistol bearing serial number T642908D018640; 11 live rounds of .40 caliber ammunition; and 30 live rounds of .223 caliber ammunition; and the firearm and ammunition were in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about October 19, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,  
a/k/a “Montana,”**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, that is, three black AR-15 magazines loaded with 90 live rounds of 5.56 caliber LC 17 ammunition, and the ammunition was in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT EIGHT**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about November 2, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,  
a/k/a “Montana,”**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, at least one of the following: a Smith & Wesson .357 Magnum revolver bearing serial number BSB7271; a Ruger Mark II Target .22 caliber semiautomatic pistol bearing serial number 212-29646; and five black AR-15 magazines containing a total of 149 live rounds of 5.56 caliber LC 18 ammunition; and the firearms and ammunition were in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT NINE**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about November 2, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MARIO RAMIREZ,**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, that is, at least one of the following: a Smith & Wesson .357 Magnum revolver bearing serial number BSB7271; a Ruger Mark II Target .22 caliber semiautomatic pistol bearing serial number 212-29646; and five black AR-15 magazines containing a total of 149 live rounds of 5.56 caliber LC 18 ammunition; and the firearms and ammunition were in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT TEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about November 13, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,  
a/k/a “Montana,”**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, that is, at least one of the following: a Smith & Wesson M&P Bodyguard .380 caliber semiautomatic pistol bearing serial number KDX4425, loaded with 6 live rounds of .380 caliber ammunition; a Taurus PT 24/7 .45 ACP caliber semiautomatic pistol bearing serial number NCI24146, loaded with 17 live rounds of .45 ACP ammunition; a Llama 1911 .45 caliber semiautomatic pistol bearing serial number A20908, loaded with 17 live rounds of .45 ACP ammunition; and two black AR-15 magazines containing 69 live rounds of 5.56 caliber LC 18 ammunition; and the firearms and ammunition were in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT ELEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about November 28, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MARIO RAMIREZ**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, that is, at least one of the following: a Davis Industries model P380 .380 caliber semiautomatic pistol bearing serial number AP311177, loaded with 6 live rounds of .380 ammunition; a Glock Model 27 .40 caliber semiautomatic pistol bearing serial number MAS845; a Glock Model 26, 9mm semiautomatic pistol bearing serial number HSZ063; and two black AR-15 magazines containing 60 live rounds of 5.56 caliber LC 18 ammunition; and the firearms and ammunition were in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).



**COUNT TWELVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about November 29, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,  
a/k/a “Montana,”**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, that is, at least one of the following: a Davis Industries model P380 .380 caliber semiautomatic pistol bearing serial number AP311177, loaded with 6 live rounds of .380 ammunition; a Glock Model 27 .40 caliber semiautomatic pistol bearing serial number MAS845; a Glock Model 26, 9mm semiautomatic pistol bearing serial number HSZ063; and two black AR-15 magazines containing 60 live rounds of 5.56 caliber LC 18 ammunition; and the firearms and ammunition were in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT THIRTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about December 7, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,  
a/k/a “Montana,”**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, that is, 120 live rounds of 5.56 caliber Federal ammunition, and the ammunition was in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT FOURTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Paragraphs 1 through 8 and 10 through 12 and the Overt Acts of Count One are incorporated here.
2. On or about December 7, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,  
a/k/a “Montana,”**

knowingly possessed a machinegun, as defined by Title 18, United States Code, Section 921(a)(23), and Title 26, United States Code, Section 5845(b), that is, one or more of the following: four Glock-type, select-fire machinegun conversion devices intended for use in converting a semiautomatic Glock pistol to fire automatically, without identifying marks and serial numbers.

In violation of Title 18, United States Code, Section 922(o).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Sections 371, 922(a)(1)(A) and 922(g)(1), as set forth in the this indictment, defendants

**MARIO RAMIREZ and  
MATTHEW STEPHENS,  
a/k/a “Montana,”**

shall forfeit to the United States of America all firearms and ammunition involved in the commission of these offenses, including but not limited to:

1. a black SMUF AR-15 style pistol (no serial number);
2. a .40 caliber SMUF Glock 22 semiautomatic pistol (no serial number);
3. a black Olympic Arms AR-15 rifle (serial number CH-9815);
4. a Beretta ARX 100 semiautomatic rifle (serial number SX02069);
5. a Stoeger Cougar 8000 semiautomatic pistol (serial number T642908D018640);
6. five SMUF AR-15 style rifle (no serial number);
7. a SMUF AR-15 style pistol (no serial number);
8. a SMUF tan and brown AR-15 style rifle (no serial number);
9. five SMUF AR-15 style pistols (no serial numbers);
10. a Smith & Wesson .357 Magnum revolver (serial number BSB7271);
11. a Ruger Mark II Target .22 caliber semiautomatic pistol (serial number 212-29646);
12. two SMUF AR-15 style pistols (no serial numbers);
13. a Smith & Wesson M&P Bodyguard .380 caliber semiautomatic pistol (serial number KDX4425) loaded with 6 live rounds of .380 caliber ammunition;

14. a Taurus PT 24/7, .45 ACP caliber semiautomatic pistol (serial number NCI241 46) loaded with 17 live rounds of .45 ACP ammunition;
15. a Llama 1911 .45 caliber semiautomatic pistol (serial number A20908) loaded with 17 live rounds of .45 ACP ammunition;
16. a Llama 1911 .45 caliber semiautomatic pistol (serial number A20908) loaded with 17 live rounds of .45 ACP ammunition;
17. a Davis Industries model P380, .380 caliber semiautomatic pistol (serial number AP3 1117 7);
18. a Glock Model 27 .40 caliber semiautomatic pistol (serial number MAS845);
19. a Glock Model 26 9mm semiautomatic pistol (serial number HSZ063);
20. four Glock-type select-fire machingun conversion devices; and
21. all other ammunition recovered or purchased during the conspiracy.

All pursuant to Title 18, United States Code, Section 924(d), made applicable by Title 28, United States Code, Section 2461(c).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

  
**WILLIAM M. McSWAIN**  
**UNITED STATES ATTORNEY**